



**PLANNING COMMISSION MEETING / PUBLIC HEARING
CITY OF LIBERTY LAKE
CITY HALL
WEDNESDAY, APRIL 12, 2017
4:00 P.M.**

MINUTES

CALL TO ORDER

Planning Commission Chairman Jochim called the meeting to order at 4:02 p.m.

ROLL CALL

PLANNING COMMISSION

Stan Jochim, Chair
Jeff Sitton, Vice Chair
Gary W. Green
Charles Matthews
Lynn Diddens (absent / excused)
Larry Laux (absent / excused)
Jared Von Tobel (absent / excused)
Jesse Fox
Richard Siler

STAFF

Amanda Tainio, Planning/Building Services Manager
Ann Swenson, City Clerk

REVIEW OF AGENDA / CITIZEN COMMENTS

After brief review of the agenda Chair Jochim invited citizen comments.

Mike Kennedy, Liberty Lake, WA: reminded everyone about the elections coming up with three City Council vacancies this year. He encouraged the three individuals who had previously interviewed for the vacant position to run again. He also encouraged all members to consider the vacancies. He commented, "If you qualify to do what you are doing today, which I admire – I've been in your position – you are qualified to run for City Council". He also complimented the three planning commissioners who did come forward seeking appointment to the City Council last year.

UNFINISHED / NEW BUSINESS

Amanda Tainio, Planning & Building Service Manager, announced the resignations of Planning Commissioners Diddens (effective immediately) and Laux (effective after the May 10th meeting). The two adjunct members have accepted Mayor Peterson's nomination to move up to the voting member positions.

PLANNING COMMISSIONER REPORTS

Commissioner Sitton apologized for missing the last couple of meetings. He complimented the City on the maintenance of the roads this winter. He acknowledged his appreciation for the utility tax being used to produce a pleasing result. He commented, "We have nice roads in the City of Liberty Lake and obviously that costs cash, but I think that during those times it is very recognizable".

ACTION ITEMS/DISCUSSIONS/PRESENTATIONS

Ms. Tainio, reviewed the purpose of this evening's meeting workshop as an informal Q&A which will be held before moving into the public hearing portion to accept testimony about the proposed modifications and amendments. She then introduced Mr. Gregg Dohrn from GR Dohrn and Associates, who is the city's long-range planning consultant.

Mr. Dohrn took the floor and presented the Staff Report to the Planning Commission. He reviewed the 17 proposed updates. At the conclusion of Mr. Dohrn's summary report, Chairman Jochim opened the workshop Q&A to the public as well as to any planning commissioners.

Commissioner Sitton asked for elaboration on Amendment 4, Activities Exempt from Type 1 Project Review. Ms. Tainio explained this amendment streamlines the noticing process; that if SEPA has already been conducted by another public agency, or it was previously conducted, the city does not need to go through the notice process again.

He also inquired about Amendment 10, Parking Requirements. Ms. Tainio explained that this had a lot to do with landscaping standards. Mr. Dohrn added there is a minor revision that the number of required parking spaces is reduced if some bicycle parking is provided.

On behalf of himself, and the Planning Commission, Chairman Jochim shared his appreciation for the efforts of Mr. Dohrn and city staff with regard to the preparation of documents and the information that has been provided to the Planning Commission.

Commissioner Matthews inquired what the city's regulations are regarding ministorage. Ms. Tainio said this was brought up during the March 17th focus meeting when discussing the I and C2 zones. It was at that meeting examples were shown. The Community Development Committee's recommendation was brought forward, opposing ministorage in the city. The I zone is the only area they are allowed, as a conditional use permit. The proposal is to change the code so that they cannot be permitted in the I Zone. Mr. Dohrn added new storage facilities would not be permitted; however, if there was any interest in that we would default back to the existing zoning and design standards, which is mini storage that is permitted in the industrial zone through conditional use. Ms. Tainio stated mini storage and outdoor vehicle storage are both currently conditional use permits, but are being proposed as not being permitted.

Chairman Jochim then opened the floor to receive comments from the public:

Jeremy Niemi: inquired about the current multi-family moratorium in the mixed use zone.

Ms. Tainio explained the moratorium was enacted and extended to put a placeholder in time so that no new multifamily would submit for application while the issue was being studied. It was vetted through Planning Commission and the City Council, with the Planning Commission's recommendation to Council to leave the status quo for now, other than a few housekeeping items. City Council accepted the recommendations. M2, as written, will go forward with the exception of housekeeping items that have been clarified. She elaborated that the 50/50 rule would remain.

Mr. Niemi spoke in favor of keeping any further development of multifamily housing to two stories adjacent to the Henry road.

Lancze Douglass: spoke in favor of self-storage in the community. He said there is a need for it, as there have been no new facilities built in 10-12 years, and it would serve the community. He

suggested that, if the objection is the appearance of self-storage, “with the City’s new guidelines, you could drive down the street and you’ll never even know it’s a self-storage there”. He recommended not prohibiting self storage units and to allow them to be included in the guidelines.

Mr. Douglass commented on allowing PUDs in the Comprehensive Plan. He said now that the guidelines have been removed for RV parks, it is being allowed to be put into commercial zones. He questioned where the guidelines for PUDs are. He commented that, from a developer’s perspective, it would be nice to keep some regulations in as opposed to deleting them.

Mr. Douglass also suggested the City allow an RV park in the light industrial zone. Mr. Dohrn proposed adding language to amend Section 4a of Article 10-2J to include “and transient housing”. The modification would, therefore, read “Multi-family housing *and transient housing* may be permitted in mixed use, planned unit developments, west of Madson Street, to support and complement the Central Business District and surrounding businesses”.

Additionally, Mr. Douglass suggested changing the 30-day limitation to six months for transient housing for motel and RV parks.

Unidentified female: inquired about the City’s current marijuana moratorium and the current retailer that was allowed in the City. Ms. Tainio explained a short plat application was submitted just prior to the moratorium going into place which vested a retail marijuana use. The applicant met the state law vesting requirements and was excluded from the moratorium.

PUBLIC HEARING

At 4:49 p.m., Chairman Jochim opened the public hearing on the proposed 2016 – 2017 City Development Regulations Periodic Updates and City Comprehensive Plan Amendment(s).

After reviewing the protocol for testimony, he turned the floor over to the Planning & Building Service Manager, who introduced the action request that was before the Planning Commission. Chairman Jochim then invited public testimony.

Lance Douglass: handed out an April 12th, 2017 memo regarding changes he would like to see in the development regulations (attached). He clarified that the first two changes outlined in the memo on page one were addressed during the above public workshop. He focused on page two of his memo regarding Chapter 2 zoning districts. He asked if it would be clearer if RV Parks within PUDs were allowed in the commercial zone and the industrial zone.

Ms. Tainio shared the zoning matrix attachment in the staff report. She pointed out the use planned unit development is permitted with the exception of the public/semi-public institutional and open space/recreation zones.

Mr. Douglass spoke about building height limits in Section 10-2J-8. He said the amendment shows 60 feet, but he had thought it was determined during previous a discussion that the height would be changed from 100 feet to 70 feet, since that is the height of a fire truck’s ladder to plate line with the roof. He said that would preclude pitched roofs, resulting in flat roofs and smaller buildings.

He then addressed 3c of his memo, which proposed changing Section 10-2J-9 Building Orientation Standards, to pertain to public streets and not private or internal roads. He suggested there should be more flexibility regarding parking.

Commissioner Sitton commented he thought part of the discussion regarding height requirements was to force the issue of the flat roofs for the cosmetic change in the community. He said he had also thought that, in regards to the 30-day limitation, it was the consensus of the Planning Commission to not want RVs to sit for six months. Commissioner Sitton acknowledged appreciation to the developer for his insight and knowledge. He stated the city has accommodated him nicely, but cautioned him in pushing for modifications to suit his needs. Commissioner Sitton commented, "I don't want to get to the point where a developer, which obviously is going to benefit financially from it, is writing our development code". He said he did not believe there were any ill intentions on the part of the developer, but needed to voice his concern about the need to be thoughtful and fair for everyone.

Jeff Renfrow: stated he is a resident in the Legacy Ridge Development who has seen this town grow into a city. He expressed concern about its growth rate. He commented he is not against development but it is very important that "we maintain the codes so that as we grow, we grow harmoniously and sensibly". He spoke in opposition of allowing super tall structures blocking R1 and R2 residents. He voiced concern about large mixed use areas getting by with commercial, residential, small business, and large business, stating it needs to be clearly defined. He spoke about the current traffic problems and said it needs to be addressed first and foremost before allowing 500-1,000 unit developments to go in.

Jeremy Neimi: stated he is a Legacy Ridge resident. He commented on the M2 zone. He said if the city is going to allow multilevel housing in their area, it will completely "destroy the view that these people paid for". He asked if the height limitations could be adjusted so people can still enjoy their view, commenting it needs to be addressed.

Chairman Jochim invited additional public comments. No further public comments were received. He invited additional comments from staff. Ms. Tainio announced there was a typographical error regarding the building height of 60 feet in C1, C2, I and P. She said staff will make the correction, changing it from 60 feet to 70.

Commissioner Matthews stated he agreed with Commissioner Sitton that a line needs to be drawn at some point about giving concessions. He stated there are a few things he does not agree with, but thinks; overall, the Planning Commission has a pretty good plan [with this amendment cycle]. He shared his opinion about maintaining street regulations. He said he does not want special dispensations for private streets over public streets. He also recognized the hard work on everyone's part and expressed his appreciation.

After no further comments were received, Chairman Jochim closed the public hearing at 5:12 p.m.

Mr. Dohrn suggested that, based on the above conversation about building height, all Planning Commission action would deduce that a correction will be included to properly reflect a height of 70 feet, unless otherwise directed and or indicated by the Planning Commission.

Chairman Jochim then entertained a motion. Commissioner Matthews moved to approve all 17 conditions under the ZTA2017-001 City Development Regulations GMA periodic Review and Update, and the one item under the CPA2017-001 Land use Chapter 5 sections as outlined in the Action Request. Commissioner Sitton seconded the motion.

After planning commissioners deliberated and discussed the proposed modifications, Commissioner Matthews amended his motion to approve the 2016-2017 City Development Regulations Periodic Updates and City Comprehensive Plan Amendment with additional modifications to direct staff to include the cross reference modification (add "and transient housing" to 4a) in Chapter 5 of Land Use and to not delete the applicable RV regulations (add CUP requirements for RV Parks in PUD Section). Commissioner Sitton seconded the amended motion.

Chairman Jochim called for additional comments. Commissioner Green thanked Mr. Douglass for his input and commented he wants Mr. Douglass to feel welcome as a potential developer here. The commission also briefly discussed parking requirements for buildings facing streets and maintaining street standards for private vs. public.

After no further discussion, Chairman Jochim called for the vote. Motion carried unanimously. He then invited additional citizen comments. No comments were received.

ADJOURNMENT

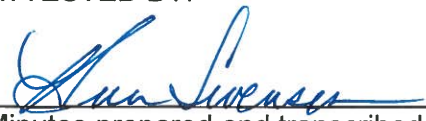
There being no further business, the meeting adjourned at 5:32 p.m.

These minutes are approved this 10 day of MAY, 2017



Stan Jochim, Planning Commission Chairman

ATTESTED BY:



Minutes prepared and transcribed by:
Ann Swenson, CMC, City Clerk



Lanzce G. Douglass

CONSTRUCTION / PROPERTIES / DEVELOPMENT

Date: April 12th, 2017
To: Planning Commission
From: Lanzce Douglass
Subject: Development regulations

Thank you very much for the opportunity to address you this evening as it regards to the proposed development regulations. I suggest that the "Planning Commission" make the following changes:

Revised Land Use Chapter 5

1) Comprehensive Plan Land Use Categories

a. Commercial categories 3a.

- i. While the revision in blue allows for RV Parks south of I-90 and west of Madson, there are no longer guidelines for RV Parks in the City Code. I would request that when approved, you request staff to bring back previous guidance on RV Park development.
- ii. The addition of a restriction for a the "30-day limit" for stays at RV Parks and Hotels/Motels should be removed and replace with a more reasonable limit of "6 months". The reason for this request is that a large number of RVers usually stay in an area for the season, these are usually "snowbird" types. In our area, they usually arrive north in April or May for a summer stay and return to the south in October.

b. Industrial Category 4a.

- i. RV Parks should be allowed in the LI zone with the same change as noted above for length of stay. Also, as noted above, there are currently no design guidelines for RV Parks and we would request staff to add back previous guidance into the code.
- ii. With the allowance of Multi-family in the LI zone through a PUD, what would the design guidelines be which would govern the project, the Multi-family guidelines or the Light Industrial guidelines? We believe that it should be the "Light Industrial" guidelines since they allow for taller and larger buildings which will integrate better into the neighborhood by matching bulk and scale.

Chapter 2 Zoning Districts

- 2) Article 10-2I C-2 (Freeway Commercial District)
 - a. Section 10-2I-2 permitted uses, should note that PUDs are allowed in the C-2 zone as mentioned in "Liberty Lake Comprehensive Plan Revised Land Use Chapter 5"
- 3) Article 10-2J Light Industrial District
 - a. Section 10-2J-2 permitted uses, should note that PUDs are allowed in the LI zone as mentioned in "Liberty Lake Comprehensive Plan Revised Land Use Chapter 5"
 - b. Section 10-2J-8 Building Heights limits the maximum height to 60' There was some discussion of this lowering of the height during many of the sessions from the current 100'. It was decided that since the Fire Departments ladder truck can reach 70', that the new limit should be 70'. It was also discussed that the height limit should not be to the top of the roof but instead to the plate line of the roof, since that is where the Fire Department access' the roof from. I propose that the new height limit be 70' to the top plate of the structure.
 - c. Section 10-2J-9 Building Orientation C. Building Orientation Standards, states that "All buildings which are subject to this Section shall be oriented to a street and shall be configured to provide the majority of the parking in a rear, side or interior parking area." I propose that this should only pertain to "Public Streets" and not private or internal roads.

Although I have mainly focused on the sections noted above, due to the voluminous nature of the document there may be other statements within it that may contradict some of the proposed changes made above. If this is the case I propose that those sections be amended so as not to contradict with the sections above.

Thank You very much for your time.



Lance G. Douglass